

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:14-CV-186-D

SAUL HILLEL BENJAMIN,

Plaintiff,

v.

NICHOLAS SPARKS in his official and
individual capacities; THE EPIPHANY
SCHOOL OF GLOBAL STUDIES; and THE
NICHOLAS SPARKS FOUNDATION,

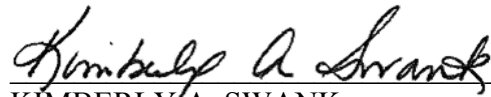
Defendants.

ORDER

This matter is before the court on Plaintiff's Motion to Quash and/or for a Protective Order, filed July 12, 2016, the matter having been referred to the undersigned for disposition pursuant to 28 U.S.C. § 636(b)(1)(A) by Chief Judge James C. Dever III. At issue here are sixteen subpoenas issued by Defendants, most of which are directed to former employers of and educational institutions attended by Plaintiff. Plaintiff informs the court that two of the subpoenas are directed to entities to/for which Plaintiff neither attended nor worked. The subpoenas seek information about Plaintiff from as far back as the 1960s. Defendants have responded in opposition to Plaintiff's motion. However, it does not appear that the parties have complied with this court's Local Rules requiring them to confer in good faith in an attempt to resolve their discovery disputes prior to the filing of the motion presently before the court. *See* Local Civil Rule 7.1(c), E.D.N.C. (Dec. 2015). Accordingly, the court hereby DISMISSES WITHOUT PREJUDICE Plaintiff's Motion to Quash and/or for a Protective Order [DE #81] and ORDERS the parties to meet and confer, *in person or by telephone*, in an attempt to resolve their differences. In the event the

parties are not able to resolve their dispute after conferring in good faith, Plaintiff may refile his motion at that time.

This 2nd day of August 2016.

A handwritten signature in black ink, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK
United States Magistrate Judge